

Docket No. 520.42879X00  
Serial No. 10/625,639  
Office Action dated May 17, 2006

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## **REMARKS**

### **I. Introduction**

By the present Amendment, claims 1 and 13 have been amended, and claims 23-26 canceled. Accordingly, claims 1-6, 8-10, 12-14, 17-22, and remain pending in the application. Claims 1 and 23 are independent.

### **II. Office Action Summary**

In the Office Action of May 17, 2006, claims 2, 4-6, 8, 9, 13, 14, 17-22, and 27 were rejected under 35 USC §112, first paragraph, for failing to comply with the written description requirement. Claims 1-6, 8-10, 12-14, and 17-27 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,897,996 to Ikeda in view of U.S. Publication No. 2002/167480 to Johnson, et al. ("Johnson"). These rejections are respectfully traversed.

### **III. Interview**

Applicants would like to thank Examiners Beck and Chow for the courtesy and cooperation extended during the interview conducted on August 31, 2006. During the interview, the claimed invention was discussed with respect to Ikeda and Johnson. While no agreements were reached on claim amendments to place the application in condition for allowance, it was agreed that the embodiment of the invention illustrated in Figs. 15A and 15B appeared to provide features that were not disclosed in Ikeda. Specifically, the arrangement of the first electrode containing the window structure was not shown in the reference. It was noted additionally, that the language of independent claim 13 appeared to be inconsistent with these figures. The Examiners indicated that further searching and consideration would be necessary in view of such amendments.

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Claims 2, 4-6, 8, 9, 13, 14, 17-22, and 27 were rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. Regarding this rejection, the Office Action indicates that independent claim 13 includes subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention at the time the application was filed. In particular, the Office Action noted that independent claim 13 recites a first electrode having an uneven surface that comprises a plurality of bumps as well as a network structure with a window in each pixel. In contrast, the specification discloses a first electrode having a network structure with a window in each pixel and a second electrode having an uneven surface comprising a plurality of bumps.

By the present Amendment, Applicants have amended independent claim 13 to address this inconsistency. Independent claim 13 now recites that the first electrode has a network structure with a window in each pixel, while the second electrode has an uneven surface that includes a plurality of bumps. This recitation is consistent with the disclosure and figures.

Withdrawal of this rejection is therefore respectfully requested.

**V. Rejections Under 35 USC §103**

Claims 1-6, 8-10, 12-14, and 17-27 were rejected under 35 USC §103(a) as being unpatentable over Ikeda in view of Johnson. Regarding this rejection, the Office Action alleges that Ikeda discloses an electrophoretic display that comprises: first and second substrates that are disposed with a predetermined gap between them; a layer comprising an insulating solvent and charged particles that is dispersed in the solvent sandwiched between the substrates; a first electrode

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disposed on one of the substrates; and a second electrode disposed on the second substrate. The Office Action further alleges that the second electrode is provided with a reflector function and an uneven surface that comprises a plurality of bumps in each pixel. The Office Action admits, however, that Ikeda does not expressly disclose the feature of the first electrode being disposed on the first substrate and the second electrode being disposed on the second substrate in such a manner that the first and second electrodes are opposite to each other. Johnson is relied upon for disclosing this particular feature. As amended, independent claim 1 now defines an electrophoretic display that comprises:

An electrophoretic display comprising a first and second substrates each being disposed with a predetermined gap therebetween; a layer comprising an insulating solvent and charged particles dispersed in the insulating solvent, the layer being sandwiched between the substrates; a first electrode disposed on the first substrate; and a second electrode disposed on the second substrate in such a manner that the first and second electrodes are opposite to each other, wherein the first electrode has a network structure with a window in each pixel, and wherein the second electrode is provided with a reflector function with uneven surface comprising a plurality of bumps in each pixel.

According to the display of independent claim 1, the first and second electrodes are arranged such that they are opposite to each other. The second electrode is provided with a reflector function with an uneven surface comprising of a plurality of bumps in each pixel. Further, the first electrode includes a network structure that has a window in each pixel. As discussed during the interview, this particular arrangement does not appear to be disclosed or suggested by the art of record.

It is therefore respectfully submitted that independent claim 1 is allowable over the art of record.

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Claims 3, 10, and 12 depend from independent claim 1, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 1. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

As amended, independent claim 13 defines an electrophoretic display that comprises:

An electrophoretic display comprising a first and second substrates arranged with a predetermined space; a layer sandwiched between the substrates and comprising an insulating solvent and charged particles dispersed in the solvent; a first electrode disposed on the first substrate; and a second electrode disposed on the second substrate in such a manner that the first and second electrodes are opposite to each other in a pixel, wherein the first electrode has a network structure with a window in each pixel and wherein the second electrode has an uneven surface comprising a plurality of bumps and concaves having a random pattern.

Similar to independent claim 1, the electrophoretic display of independent claim 13 includes a first electrode that has a network structure with a window in each pixel, and a second electrode that has an uneven surface comprising a plurality of bumps and concaves having a random pattern. As previously discussed, the cited references do not appear to provide any disclosure or suggestion for such an arrangement.

It is therefore respectfully submitted that independent claim 13 is allowable over the art of record.

Claims 2, 4-6, 8, 9, 14, 17, 18, and 27 depend, either directly or indirectly, from independent claim 13, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 13. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

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**VI. Conclusion**

For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, a Notice of Allowance is believed in order, and courteously solicited.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

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**AUTHORIZATION**

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 520.42879X00).

Respectfully submitted,  
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